

MINUTES

BOARD OF COMMUNICATIONS DISORDERS AND SCIENCES

Date: September 28, 2004

Time: 10:20 a.m. CDT

Location: Tennessee Room, Ground Floor
Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247-1010

Members Present: Ms. Lisa Davidson, Chair
Ms. Donna Schwaber
Dr. Brian Burkey
Dr. Melinda Richards
Dr. Dan Orchik
Dr. Sandra Newson

Members Absent: Mr. Kent Lillie

Staff Present: Ms. Bonnie Ferrell, Board Administrator
Mr. Ernest Sykes, Advisory Attorney
Ms. Marva Swann, Unit Director
Ms. Lea Phelps, Disciplinary Coordinator
Mr. Jerry Kosten, Rules Coordinator
Ms. Brandi Bozarth, Litigating Attorney

A quorum being present, the Board meeting was called to order by Ms. Lisa Davidson at 10:15 a.m.

Office of General Counsel

Mr. Ernest Sykes reminded the Board members of their responsibilities under the conflict of interest policy and requested that any member who had not already done so to sign the conflict of interest policy.

Mr. Sykes presented the Office of General Counsel report and presented the status of the following rule changes:

1370-1-.05, .06, .10, .14 -- *Master's degree transcript and practicum, Speech Language Pathology Assistant fees, Clinical Fellow registration procedure, Speech Language Pathology Assistant qualification*; a rulemaking hearing was held on May 27, 2003; received final approval from the Board on August 12, 2003 and sent to the

Attorney General on October 13, 2003 for review and approval; became effective September 5, 2004.

- 1370-1-.03, .05, .06, -- *Necessity of licensure or registration, Qualified applicants may practice while application is being considered, No renewal fee for inactive volunteers*; a rulemaking hearing was held on October 20, 2003; received final approval from the Board on November 4, 2003 and sent to the Attorney General on December 5, 2003 for review and approval; will become effective October 4, 2004.
- 1370-1-.15 – *Order Modification; compliance, appearance, assessing costs*; a rule-making hearing was held on December 23, 2003; received final approval from the Board on February 24, 2004 and sent to the Attorney General on March 26, 2004 for review and approval.
- 1370-1-.01, .05, .07, .10, .14 – *Definitions; Procedures for licensure; Application, review, approval and denial; Clinical Fellowships and Supervision; and Speech Language Pathology Assistants and Supervision*; rule-making hearing was held on August 3, 2004. Before the Board for final approval.

Mr. Sykes informed the Board that there would not be any contested cases heard at this meeting. The two (2) contested cases that were to be presented at this meeting Scott Anthony Stacy, Speech Pathologist signed an Agreed Order and Thomas Lamb, III, Speech Pathologist has been continued.

Mr. Sykes presented the Board with a copy of the letter he sent Roane County News requesting a retraction be published for at least six (6) consecutive runs stating that David Simpson of Audibel Hearing Aid Center is not a Licensed audiologist and does not "specialize in analyzing hearing loss,' contrary to what was published on June 30, and that he is licensed only to evaluate hearing for the sole purpose of fitting a hearing aid.

Mr. Sykes has not received a response from Roane County News as of this date, but stated that he would follow up on this matter and notify the Board chair.

Rules

Mr. Jerry Kosten reviewed the following amendments to the Rules for Communications Disorders and Sciences that went to Rulemaking Hearing on August 3, 2004.

- A. Definitions
- B. Procedures for Licensure
- C. Application Review, Approval, and Denial
- D. Clinical Fellowships and Supervision
- E. Speech Language Pathologist Assistants and Supervision

Dr. Melinda Richards made a motion to accept the amendments with a change in the wording of definitions for Clinical Fellow from "fourth (4) year graduate" to "fourth year doctoral". Donna Schwaber seconded the motion and a roll call vote was conducted. The motion carried.

Dr. Dan Orchik made a motion to authorize a rule-making hearing. Ms. Donna Schwaber seconded the motion. Ms. Bonnie Ferrell conducted a roll call vote with all Board members present and the motion carried

Mr. Kosten reviewed the rule amendments for the Council for Hearing Instrument Specialists. The amendments were ratified by the Council for Licensing Hearing Instrument Specialists at their July 16, 2004 Council meeting. After much discussion, Dr. Brian Burkey made a motion to table the discussion and invite Dr. David Levy, Council chair to appear before the Board at their November 30, 2004 Board meeting to give a detailed explanation of proposed rule changes to the following amendments:

- A. Preliminary Qualifications
- B. Procedures for Licensure
- C. Examinations

Dr. Orchick seconded the motion and the motion carried.

Disciplinary Report

Ms. Lea Phelps informed the Board that there was no one under disciplinary action at the present time.

Investigative Report

Ms. Phelps reported that there were eight (8) complaints received, ten (10) were closed, one (1) had no action and nine were sent to the Office of General Counsel for prosecution.

Minutes

After reviewing the minutes of the May 4, 2004 Board meeting Dr. Orchick made a motion to accept them as written. Dr. Burkey seconded the motion and the motion carried.

Dr. Richards made a motion to ratify the minutes from the February 24, 2004 Board meeting with the following corrections: Change Mr. Dan Orchik to Dr. Dan Orchik on page 1 and Mr. Burkey to Dr. Burkey on page 3. Dr. Brian Burkey seconded the motion and it carried.

Administrators/Directors Report

Ms. Ferrell presented the administrative report, regarding the following:

- A. Number of Active licensees, Retired Licensees and those in Failed to Renew.
- B. That we are well within our goal for performance measures.

- C. Only Twelve (12) Speech Pathologist and one (1) Audiologist renewed on line in the month of September, 2004.

Ms. Ferrell presented a copy of the newly drafted letter that she sends to newly registered Speech Assistants, Clinical Fellows and their supervising licensees. The following has been added:

Notice of employment, change of supervisors, or termination of any CFY must be forwarded by the Supervising Licensee to the Board's Administrative Office within thirty (30) days of such action. Failure to comply may result in disciplinary action. A licensed Speech Language Pathologist may supervise no more than two (3) CFY'S concurrently.

Ms. Ferrell informed the Board that we were working on a news letter for the Board that would help inform licensees to renew on line. Ms. Bell stated that on line renewal was 20%, which was more than the 17% they predicted. Ms. Bell stated that a news letter would be sent to all active licensees once a year and requested the Board members to submit any newsworthy items they may have.

Ms. Ferrell stated that of the four Audiologists files that were sent to Investigations for failure to comply with the 2002 continuing education audit, one (1) is still open, three (3) have been closed and one (1) has paid the civil penalty and submitted continuing education. Of the four (4) Speech Pathologist files that were sent to Investigations, two (2) are still open, one (1) has been closed and one (1) signed an Agreed Order.

Hearing Instrument Specialists Minutes

Dr. Orchik made a motion to ratify the minutes from the Hearing Instrument Specialists Council meeting held on April 2, 2004 as written. Dr. Richards seconded the motion and it carried.

File Review

Dr. Richards made a motion to deny Karen Fisher a waiver of continuing education hours for 2002. Dr. Orchick seconded the motion and the motion carried.

Dr. Orchick made a motion to grant Beverly Lewis a Speech Pathologist license. The motion was seconded by Ms.Schwaber and the motion carried.

Dr. Richards made a motion to ratify all the following licensees that Ms. Ferrell had initially approved:

SPEECH

1. **Ball, Terry Joan**
2. **Barry, Helen C.**
3. **Bello, James M.**
4. **Bogard, Jennifer S.**
5. **Boykin, Leslie Tribble**
6. **Caine, Kenneth R.**

7. Carney, Cathleen Marie
8. Cavedine, Kelly Ann
9. Cody, Allison C.
10. Davis, Sherrie L.
11. Dishner, Lorie S.
12. Dowdy, Ashlee N.
13. Durrett, Sterling L.
14. Elder, Jennifer Lynn
15. Felts, Danyelle Elizabeth
16. Ferguson, Carolee
17. Fry, Amanda Paige
18. Geldreich, Ginger D.
19. Gilliam, Catherine A.
20. Harden, Jennifer Noelle
21. Harrell, Melissa J.
22. Headley, Shanna Renee
23. Holland, Tiffany Louise
24. Hutchings, David Thomas
25. Johnson, Adriane M.
26. Jones, Tracy Margaret
27. Kenney, David Michael
28. Kirby, Mary Elizabeth
29. Kiser, Julie K.
30. Lane, Emily S.
31. McKeon, Jamie Lynn
32. McMahon, Elizabeth A.
33. Millsaps, Julie Camille
34. Petruzzi, Wendy D.
35. Pitman, Kristen Kae
36. Poulsen, Barbara
37. Richardson, Jana H.
38. Sain, Mekissa D.
39. Sampley, Julie K.
40. Wall, Amanda Kay
41. Warner, Kara E.
42. Whitley, John F.
43. Wilder, Ashley Vines
44. Willey, Veronica Morin
45. Williamson, Kimberly R.
46. Wilson, Lindsey P.
47. Woody, Amy Elizabeth
48. Zoerink, Sarah Ellen

AUDIO

1. Emmett, Karen Rachel
2. Johnson, Megan Louise
3. Morgan, Kimberly Ann

RECIPROCITY

SPEECH

1. Barker, David James -NC, SC
2. Barker, Teresa Francine - NC, SC
3. Chain, Karen Lanice - FL, NC, MO
4. Kent, Mary M.S. - AR
5. Kirby, Amy Elizabeth - GA
6. Smith, Brenda A. - AL
7. Thomas, Jennifer Rogers - TX
8. VanSickle, Kathy J. - OH

AUDIO

1. Everitt, Sr., David M. - OH, FL, MI

REINSTATEMENT

SPEECH

1. Abou-Khalil, Rima N.
2. Dyer, Laura C.
3. Fox, Scarlett Rachel
4. Freeman, Ashlie S.
5. Guthrie, Lynda T.
6. Hardesty, Charlotte Ashford
7. Hightower, Alicia Dianne
8. MacMillan, Kasey K.
9. Mansfield Wingo, Tracey Michelle
10. Mosca, Katherine Hope
11. Rogers, Wendy Scott

AUDIO

1. Atherholt, William Warren
2. Butler, Daniel J.

Correspondence

Ms. Ferrell presented her draft of the first Newsletter for the Board of Communications Disorders and Sciences and Council for Licensing Hearing Instrument Specialists and asked for suggestions. Dr. Richards suggested that Ms. Ferrell add a reminder to supervising Speech Pathologists to notify us of any changes in the employment or supervision of their Assistants. Ms. Richards also requested Ms. Ferrell to post the Newsletter on our website.

Ms. Schweber made a motion to have Dr. Richards ask the Association to take steps to amend Statutes regarding Speech Pathologist Assistants. We would like to require the Speech Pathologist Assistants to renew their registration every two years in order to keep track of them.

Adjournment:

Being no further business, Ms. Schweber made the motion to adjourn. Dr. Richards seconded the motion. The motion carried and the meeting was adjourned at 1:20p.m.

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